

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK

-----X
GUERLINE BENJAMIN,

Civ. 2:24-7399

NOTICE OF REMOVAL

Plaintiff,

-against-

COSTCO WHOLESALE CORPORATION,

Defendant.
-----X

REMOVAL PETITION

To the Honorable Judges of the United States District Court for the Eastern District of New York, the defendant, COSTCO WHOLESALE CORPORATION, by its attorneys, Connors & Connors, P.C., state the following upon information and belief:

1. That COSTCO WHOLESALE CORPORATION is a defendant in the above-entitled action.

2. That on February 26, 2024, this action was commenced against COSTCO WHOLESALE CORPORATION in the Supreme Court of the State of New York, Nassau County, and is now pending.

3. The action is captioned:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
GUERLINE BENJAMIN,

Index No. 603391/2024

Plaintiff,

-against-

COSTCO WHOLESALE CORPORATION,

Defendant.
-----X

4. A copy of the Summons and Complaint is annexed hereto as **Exhibit A**.

5. A copy of the Verified Answer filed by COSTCO WHOLESALE CORPORATION on April 12, 2024 is annexed hereto as **Exhibit B**.

6. Contemporaneous with service of its Answer, COSTCO WHOLESALE CORPORATION served a Demand for Statement of Damages on plaintiff's counsel, which is annexed hereto as **Exhibit C**.

7. This is an action for damages for personal injury resulting from the alleged negligence of the defendant occurring on April 10, 2023 at a Costco warehouse located at 1250 Old Country Road, Westbury, NY 11590.

8. Other than a Preliminary Conference being issued on June 3, 2024, no further proceedings have been had in the Supreme Court of the State of New York, Nassau County.

9. On or about October 18, 2024, plaintiff's counsel served a Response to defendant's Demand for a Statement of Damages, claiming "total damages in the amount of ten million (\$10,000,000.00) dollars." See plaintiff's response annexed hereto as **Exhibit D**.

10. That defendant is now filing this Notice of Removal within 30 days of plaintiff responding in writing that the plaintiff's claim allegedly has a value in excess of \$75,000.00.

11. At the time the complaint was filed, GUERLINE BENJAIN was a resident of the State of New York.

12. COSTCO WHOLESALE CORPORATION is incorporated in, and organized and existing under and by virtue of, the laws of the State of Washington and has its principal place of business in the State of Washington.

13. This Honorable Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332 and the action may therefore be removed to this Honorable Court pursuant to 28 U.S.C. §1441.

WHEREFORE, defendant COSTCO WHOLESALE CORPORATION pray that the above-entitled action now pending against them in the Supreme Court of the State of New York, County of Nassau, be removed to this Honorable Court.

Dated: Staten Island, New York
October 23, 2024



JOHN P. CONNORS, JR. (6514)
CONNORS & CONNORS, P.C.
Attorneys for Defendant
COSTCO WHOLESALE CORPORATION
766 Castleton Avenue
Staten Island, NY 10310
(718) 442-1700
File No. DCW28152

TO: VICTORIA HOVSEPYAN, ESQ.
HOVSEPYAN LAW GROUP, P.C.
Attorneys for Plaintiff
GUERLINE BENJAMIN
1111 Avenue U, 3rd Floor
Brooklyn, NY 11223
(718) 449-7491

CERTIFICATE OF SERVICE

I, JOHN P. CONNORS, JR., hereby certify that a copy of the foregoing, **NOTICE OF REMOVAL**, was mailed by first class mail, postage prepaid, this 23rd day of October, 2024 to all counsel of record as indicated below.



JOHN P. CONNORS, JR. (6514)

TO: VICTORIA HOVSEPYAN, ESQ.
HOVSEPYAN LAW GROUP, P.C.
Attorneys for Plaintiff
GUERLINE BENJAMIN
1111 Avenue U, 3rd Floor
Brooklyn, NY 11223
(718) 449-7491

Civ. 2:24-7399 Hon.
UNITED STATES DISTRICT COURT FOR
EASTERN DISTRICT OF NEW YORK

GUERLINE BENJAMIN,
Plaintiff,


- against -

COSTCO WHOLESALE CORPORATION,
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NOTICE OF REMOVAL

CONNORS & CONNORS, P.C
Attorneys for Defendant
Office and Post Office Address, Telephone
766 Castleton Avenue
Staten Island, New York 10310
(718) 442-1700 PHONE
(718) 273-5196 FAX

Signature (Rule 130-1.1-a)


JOHN P. CONNORS, JR. (6514)

Service of a copy of the within
Dated,

is hereby admitted,

Attorney(s) for

Please take notice

NOTICE OF ENTRY

that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on

NOTICE OF SETTLEMENT

that an order of which the within is a true copy will be presented for settlement to the HON.
one of the judges of the within named court, at
on at

Dated:

Yours, etc.,

To

CONNORS & CONNORS, P.C.
Attorneys for Defendant
Office and Post Office Address
766 CASTLETON AVENUE
STATEN ISLAND, NY 10310